IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2942 OF 2003
IN
NOTICE OF MOTION NO.1606 OF 2001
IN
SUMMARY SUIT NO.2655 OF 1991

M/s.Shraddha Enterprises ....Plaintiff
V/s.
Hotel Horizon Pvt.Ltd. ....Defendant

Mr.S.S. Lanke for the Plaintiff.
Mr.Diwakar Dwivedi for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 21ST NOVEMBER, 2006.

P.C. :

1. The Plaintiff seeks to withdraw the amount deposited by the Defendant in this summary suit. Merely furnishing an undertaking to bring the money back cannot be permitted.

2. In the circumstances, the Notice of Motion is dismissed.